

PCT #4



PATENT
Customer No. 22,852
Attorney Docket No. 8059.0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michael John Christensen et al.) Group Art Unit: Unassigned
Application No.: 10/529,375) Examiner: Unassigned
Filed: March 28, 2005)
For: GRASS ENDOPHYTES) Confirmation No.: Unassigned
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 13, 2005

By:



David W. Hill
Reg. No. 28,220

Complete if Known

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

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Application Number	10/529,375
Filing Date	March 28, 2005
First Named Inventor	Michael John Christensen
Art Unit	UUnassigned
Examiner Name	Unassigned
Attorney Docket Number	8059.0013

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁸
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁸
/	/	Blank, C.A.; Gwinn, K.D. 1992: Soilborne seedling diseases of tall fescue: influence of the endophyte Acremonium coenophialum. <i>Phytopathology</i> 82: 1089.	
/	/	Bouton, J.H. 2000: The use of endophyte fungi for pasture improvement in the USA. In Proceedings of the Grassland Conference 2000, 4 th International Neotyphodium/Grass Interactions Symposium. Eds. Paul, V.H.; Dapprich, P.D. Universität, Paderborn, pp. 163-168.	
/	/	Bouton, J.H.; Latch, G.C.M.; Hill, N.S.; Hoveland, C.S.; McCann, M.A.; Watson, R.H.; Parish, J.H.; Hawkins, L.L.; Thompson, F.N. 2002: Re-infection of tall fescue cultivars with non-ergot alkaloid-producing endophytes. <i>Agronomy Journal</i> 94: 567-574.	
/	/	Elberson, H.W.; West, C.P. 1996: Growth and water relations of field grown tall fescue as influenced by drought and endophyte. <i>Grass and Forage Science</i> 51:333-342.	
/	/	Fletcher, L.R.; Easton, H.S.; 2000: Using Endophytes for Pasture Improvement in New Zealand. In Proceedings of The Grassland Conference 2000, 4 th International Neotyphodium/Grass Interactions Symposium. Eds. Paul, V.H.; Dapprich, P.D. Universität, Paderborn, pp. 149-162.	
/	/	Fletcher, L.R.; Sutherland, B.L.; Fletcher, C.G. 1999: The impact of endophyte on the health and productivity of sheep grazing ryegrass-based pastures. In Ryegrass endophyte: an essential New Zealand symbiosis. <i>Grassland Research and Practice Series</i> No. 7, pp 11-17.	
/	/	Gadberry, M.S.; Denard, T.M.; Spiers, D.E.; Piper, E.L. 1997: Ovis aries: A model for studying the effects of fescue toxins on animal performance in a heat-stressed environment. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp. 429-431.	
/	/	Griffiths, A.; Moon, C.; Tapper, B.; Christensen, M. 1999: Non-radioactive AFLP fingerprinting for detection of genetic variation in Epichloë/Neotyphodium endophytes. <i>Proceedings of the 11th Australian Plant Breeding Conference</i> .	
/	/	Hill, N.S.; Thompson, F.N.; Studemann, J.A.; Rottinghaus, G.W.; Ju, H.J.; Dawe, D.L.; Hiatt, E.E. 2001: Ergot alkaloid transport across ruminant gastric tissues. <i>Journal of Animal Science</i> 79: 542-549.	
/	/	Kren, V. 1999: Biotransformations of ergot alkaloids. In <i>Ergot the genus Claviceps</i> . Eds. Kren, V.; Cvak, L. Harwood Academic, Amsterdam, p. 230.	
/	/	Latch, G.C.M.; Christensen, M.J. 1985: Artificial infection of grasses with endophytes. <i>Annals of Applied Biology</i> 107: 17-24.	
/	/	Leuchtmann, A. 1997: Ecological diversity in Neotyphodium-infected grasses as influenced by host and fungus characteristics. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp 93-108.	
/	/	Moon, C.D.; Tapper, B.A.; Scott, D.B. 1999: Identification of Epichloë endophytes in plants by a microsatellite-based PCR fingerprinting assay with automated analysis. <i>Applied and Environmental Microbiology</i> 65: 1268-1279.	
/	/	Oliver, J.W. 1997: Physiological manifestations of endophyte toxicosis in ruminant and laboratory species. In <i>Neotyphodium/Grass Interactions</i> , Eds. Bacon, C.W.; Hill, N.S. Plenum Press, New York, pp. 311-346.	
/	/	Rottinghaus, G.E.; G.B.; Cornell; C.N.; Ellis; J.L. 1991; HPLC method of quantitating ergovaline in	

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NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.